



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (ABA) NO. 531 OF 2024

Gajendra Suresh Lonkar

Vs.

State of Maharashtra, Thru. PSO Amadapur, Tq. & Dist. Buldhana

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. S.K. Wankhade, Advocate for applicant.

Mr. U.R. Phasate, APP for non-applicant/State.

CORAM : SMT. URMILA JOSHI PHALKE, J.

DATE : 08.08.2024

Apprehending the arrest at the hands of police in connection with Crime No.164/2024 registered with Police Station Amdapur, District – Buldhana, for the offence punishable under Sections 354-A, 354-D, 452, 500 and 506 of the Indian Penal Code, the applicant approached to this Court for grant of pre-arrest bail.

2. The crime is registered on the basis of report lodged by the victim girl alleging that the applicant has proposed her for marriage and also given the proposal to her parents and accordingly, the relatives have decided to perform the marriage. On 13.05.2024, the applicant entered in her house

and was subjected her for sexual harassment as well as outraged her modesty. She was also threatened that he will make her obscene photographs viral. On the basis of the said report, police have registered the crime against the present applicant.

3. Learned counsel for the applicant submitted that there was a love affair between the victim and the present applicant and the family members have also decided to perform the marriage but, due to some disputes, the marriage was not performed and this FIR came to be lodged 20 days after the incident. He submitted that as far as the custodial interrogation is concerned, which is not required. In view of that, the applicant be protected by granting anticipatory bail.

4. Learned APP for the State strongly opposed the said application on the ground that, the victim girl with whom the marriage of the present applicant was settled was subjected for the outraging of the modesty. Considering the gravity of the offence, the application deserves to be rejected.

5. After hearing the learned counsel for the applicant and learned APP for the State, perused the recitals of the FIR as well as the statements of the

various witnesses, from which, it reveals that the marriage between the present applicant and the informant was settled but, the dispute arose between them and therefore, the said marriage was not performed. As far as the custodial interrogation is concerned, which is not required, as nothing is to be recovered from the present applicant. Considering the delay, which is caused in lodging the FIR and the custodial interrogation is not required, the interim protection granted to the present applicant deserves to be confirmed. Accordingly, I proceed to pass the following order : -

ORDER

- (a) The criminal application is allowed.
- (b) The interim protection granted to the present applicant **Gajendra Suresh Lonkar** in connection with Crime No.164/2024 registered with Police Station Amdapur, District – Buldhana, for the offence punishable under Sections 354-A, 354-D, 452, 500 and 506 of the Indian Penal Code, is hereby confirmed on the similar conditions.
- (c) The applicant shall attend the concerned Police Station as per the direction by order dated 19.07.2024, till filing of the charge-sheet.

(d) The other conditions shall remain as it is.

6. The criminal application is disposed of accordingly.

(SMT. URMILA JOSHI PHALKE, J)